

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

NELSON B. COLWELL,

Case No. 10-10091

Plaintiff,

ARTHUR J. TARNOW  
SENIOR UNITED STATES  
DISTRICT JUDGE

v.

COMMISSIONER OF SOCIAL  
SECURITY,

MAGISTRATE JUDGE  
R. STEVEN WHALEN

Defendant.

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**ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATION [14]**

On December 3, 2010, Magistrate Judge Whalen issued a Report and Recommendation [14] that Defendant's Motion for Summary Judgment [13] should be granted and Plaintiff's Motion for Summary Judgment [11] should be denied. No objections were filed.

The Court has reviewed the record in this case.

The Report and Recommendation of the Magistrate Judge is hereby **ADOPTED** and is entered as the findings and conclusions of the Court.

Accordingly,

**IT IS ORDERED** that Defendant's Motion for Summary Judgment [13] is **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiff's Motion for Summary Judgment [11] is **DENIED**.

**SO ORDERED.**

S/ARTHUR J. TARNOW

Arthur J. Tarnow

Senior United States District Judge

Dated: December 23, 2010

I hereby certify that a copy of the foregoing document was served upon counsel of record on December 23, 2010, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry  
Relief Case Manager